

# Order

**Michigan Supreme Court  
Lansing, Michigan**

January 13, 2011

Robert P. Young, Jr.,  
Chief Justice

141439-40(144)

Michael F. Cavanagh  
Marilyn Kelly  
Maura D. Corrigan  
Stephen J. Markman  
Diane M. Hathaway  
Mary Beth Kelly,  
Justices

PATRICK McCARTHY,  
Plaintiff-Appellant,  
v

SC: 141439-40  
COA: 293482; 293483  
Oakland CC: 2008-089426-NO;  
2008-094425-NO

EDWARD SOSNICK, WENDY L. POTTS,  
KEVIN M. OEFFNER, RICHARD M. LYNCH,  
JEANNE STEMPIEN, KATHLEEN J.  
McCANN, THOMAS J. RYAN, BARRY M.  
GRANT, MICHAEL J. TALBOT, DIANE M.  
GARRISON, NANCY J. DIEHL, RONALD F.  
ROSE, NANCY J. GRANT, GOVERNOR OF  
MICHIGAN, ATTORNEY GENERAL,  
OAKLAND COUNTY CIRCUIT COURT,  
and JUDICIAL TENURE COMMISSION,  
Defendants-Appellees.

---

On order of the Court, the motion for full-Court consideration of the motion for disqualification of the entire bench is considered, and it is GRANTED. Upon full-Court consideration of the plaintiff's motion, we DENY the plaintiff's motion to disqualify the entire bench for the reason that no justice is persuaded that there is any ground for disqualification of any other justice. The motion for oral argument regarding disqualification is DENIED.

YOUNG, C.J. I do not participate in the order or the Court's decision-making under the new rule for the reasons stated in my November 25, 2009 dissent from the rule's promulgation.<sup>1</sup>

CORRIGAN, J. I do not participate in deciding the motion for full-Court review under the new version of MCR 2.003 for the reasons stated in my November 25, 2009 dissent from the rule's promulgation.<sup>2</sup>

---

<sup>1</sup> See 485 Mich civ, cxxxii (2009) (YOUNG, J., dissenting).

<sup>2</sup> See 485 Mich civ, cxx (2009) (CORRIGAN, J., dissenting).

MARY BETH KELLY, J., not participating.



d0112

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

January 13, 2011

*Corbin R. Davis*

Clerk